

Chairman Vap called the regularly scheduled meeting to order at 10:04 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

GENERAL ADMINISTRATION

Notice was duly published April 26, 2005 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held Wednesday May 4, 2005 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Wednesday, May 4, 2005:

GW-181 Commission hearing room, Lincoln.
GD-403 In the Matter of Lisco Elevator Incorporated, Lisco.
1:30 Commissioner Vap presiding as Hearing Officer.

Thursday, May 5, 2005:

1:30 Commission Library, Lincoln.
 TRS Advisory Committee Meeting

COMMUNICATIONS DEPARTMENT

Cheryl Elton reported on the telecommunications complaints received by the Communications Department during the preceding month.

C-3388 In the Matter of UCN, Inc., Bluffdale, Utah, seeking authority to operate as a local exchange carrier of telecommunications services within the state of Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

C-3415 In the Matter of the Commission, on its own motion, seeking to establish an interim policy on eligible telecommunications carrier standards: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

C-3389 In the Matter of United Telephone Company of the West, d/b/a Sprint, Overland Park, Kansas, seeking an interconnection, collocation and resale agreement with Allo Communications LLC, Imperial: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3390 In the Matter of Qwest Corporation, Denver, Colorado,
 Filing Under Protest of the Commercial Agreement with DIECA
Communications Inc., dba Covad Communications Company, Denver, Colo-
rado, for Provision of Qwest Platform Plus Service (QPP), previously
granted in Docket C-2325: Motion made by Commissioner Lowell Johnson,
seconded by Commissioner Anne Boyle, to enter an order granting the
application. Motion passed with Commissioners Anne Boyle, Lowell
Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

C-3391 In the Matter of Qwest Corporation, Denver, Colorado,
 Filing Under Protest of the Commercial Agreement with CAT
Communications International, Inc., Roanoke, Virginia, for Provision
of Qwest Platform Plus Service (QPP), previously granted in Docket
C-3200: Motion made by Commissioner Lowell Johnson, seconded by
Commissioner Anne Boyle, to enter an order granting the application.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod
Johnson, Frank Landis, Jerry Vap voting AYE.

E-2079 In the Matter of the Auburn Board of Public Works, Auburn,
 seeking authority to construct, operate, and maintain an
electric transmission line in Nemaha County: Motion made by Commis-
sioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter
an order granting the application. Motion passed with Commissioners
Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap
voting AYE.

C-3206 In the Matter of the Commission, on its own motion, seeking
 to administer the Nebraska Internet Enhancement Fund: Gene
Hand discussed the request of Nemaha County for accelerated funding.

C-3324 In the Matter of N.E. Colorado Cellular, Inc. d/b/a Viaero
 Wireless, Fort Morgan, Colorado, seeking a designation as
an eligible telecommunications carrier under 47 U.S.C. Section
214(e)(2): Gene Hand discussed the Hearing Officer's order entered
April 26, 2005. Shana Knutson informed the Commission that the
applicant has amended its application.

 Gene Hand announced that the next TRS Advisory Committee
Meeting is scheduled for May 5, 2005 at 1:30 p.m. in the Commission
Library, Lincoln.

C-3345/
NUSF-42/
PI-93 In the Matter of the Commission, on its own motion, seeking
 to investigate Qwest's Switched Access Charge Rates: An
 oral argument was scheduled via video for May 12, 2005, at
 10:00 a.m. in the Commission Library, Lincoln; McCook
Community College, McMillen Hall, Room 208, 1205 East 3rd Street,
McCook; Nebraska State Office Building, Room 207, 1313 Farnam, Omaha;
and Hastings Public Library, 2nd Floor, 517 West 4th Street, Hastings.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3379 In the Matter of the Precedential Nature of Orders on
 Reconsideration Issued in Consolidated Dockets FC-1296 and
FC-1297: The Oral Argument scheduled for May 9, 2005, was continued
to a date later to be determined.

Gene Hand informed the Commission that Qwest has formally
withdrawn from the bidding process to acquire MCI.

Gene Hand reported on the Wyoming Telecommunications Forum
held on April 26-27 in Laramie, Wyoming.

UNIVERSAL SERVICE FUND

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #5 to establish guidelines for administration of the Nebraska
 Universal Service Fund. Commissioner Vap presiding as
Hearing Officer: Motion made by Commissioner Frank Landis, seconded
by Commissioner Lowell Johnson, to dismiss the Show Cause against
Keystone-Arthur for a late-filed EARN Form audit and canceling the
hearing scheduled for May 11, 2005. Motion passed with Commissioners
Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap
voting AYE.

Jeff Pursley reported on Late-Filed Carrier Remittances.
Motion made by Commissioner Rod Johnson, seconded by Commissioner
Frank Landis, to file a Complaint against LDMI Long Distance. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis, and Jerry Vap voting AYE.

Jeff Pursley discussed Citizens Communications/Frontier's
request for an extension from May 2 to May 9, 2005, to complete and
submit their NUSF-EARN form audit: Motion made by Commissioner Rod
Johnson, seconded by Commissioner Lowell Johnson, to grant Citizen's
Communications request to extend the deadline to submit their NUSF-
EARN form audit to May 9, 2005. Motion passed with Commissioners Anne
Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting
AYE.

NUSF-44/ In the Matter of Jeffrey L. Pursley, Director, Nebraska
DC-69 Universal Service Fund Department, Nebraska Public Service
 Commission, Complainant, v. AT&T Communications of the
Midwest, Inc., Defendant: Commissioner Jerry Vap was appointed as
Hearing Officer.

E911 DEPARTMENT

PSAP-043 In the Matter of Kimball County, Kimball, seeking approval for recurring and nonrecurring expenses of Enhanced Wire-less E911 implementation: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0023.1 In the Matter Kinder Morgan, Inc., Lakewood, Colorado, seeking to implement supply cost adjustment associated with Other Services Charge applicable to Nebraska Rate Schedules CGS (Choice Gas Service), ACGS-NSS (Agricultural Choice Gas Service Non-Seasonal Service), and ACGS-SS (Agricultural Choice Gas Service Seasonal Service). Commissioner Vap presiding as Hearing Officer: Laura Demman informed the Commission that the Public Advocate and Kinder Morgan have reached a stipulation, which is expected to be filed on May 4, 2005. The hearing originally scheduled for May 5, 2005, was continued to a date later to be determined. A telephonic conference was scheduled for May 5, 2005, at 9:30 a.m. The telephone bridge number is (402) 472-6295.

Laura Demman provided a report on the number and nature of natural gas consumer inquiries and complaints received during the previous month.

LEGISLATIVE REPORT

Angela Melton updated the Commission on the status of LB 645.

TRANSPORTATION DEPARTMENT

B-1621 In the Matter of Phoenix Counseling, Inc., dba Phoenix Transportation Services, Omaha, seeking authority as a common carrier of passengers in open class service between points in Douglas, Cass, Sarpy, and Washington counties by van over irregular routes. Commissioner Vap presiding as Hearing Officer: The hearing previously set for a date later to be continued was rescheduled as a video hearing on May 18, 2005, at 9:30 a.m. in the Commission Library, Lincoln, and the Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam Street, Omaha.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

BR-300 In the Matter of MAVM Ventures, dba A & B Shuttle, Omaha, seeking authority to adjust its rates and charges. Commissioner Vap presiding as Hearing Officer: A video hearing was scheduled for May 18, 2005, at 9:00 a.m. in the Commission Library, Lincoln, and the Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam Street, Omaha.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was decreased to 42 cents per mile.

Commissioner Frank Landis exited the Commission Hearing Room.

GRAIN WAREHOUSE DEPARTMENT

GW-985 In the Matter of All Points Cooperative, Gothenburg: John Fecht discussed the shortage of oats.

Commissioner Anne Boyle exited the Commission Hearing Room.

GW-1136 In the Matter of Central Valley Ag Cooperative, Nonstock, O'Neill, seeking to buy the grain represented on lost receipt B683867: Motion made by Rod Johnson, seconded by Lowell Johnson, to grant the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, and Vap voting AYE, Commissioners Boyle and Landis Excused Not Voting.

Commissioner Anne Boyle returned to the Commission Hearing Room.

GW-1883 In the Matter of Salem Grain Co., Inc., Salem, requesting a measure-up of grain in its facilities: Upon agreement of all Commissioners present, the request was granted.

GENERAL ADMINISTRATION

Upon agreement of all Commissioners present, the following invoices were approved:

Robert Bowman	\$	589.83
Fred Massing		755.27
Kent Pribyl		1053.55

The meeting adjourned at 10:36 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, and Vap present and Commissioner Landis excused. The next regularly scheduled meeting will be held on May 11, 2005, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on May 10, 2005.

Chairman

Deputy Director